

## **REMARKS**

### **Status of the Claims**

Claims 8-24 are pending in the application.

Claims 15-17 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 8-15 and 18-24 were rejected under 35 U.S.C. §102(e) as being anticipated by Thomas et al.

### **Claims Rejections under 35 U.S.C. §112, second paragraph**

Claims 15-17 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner objected to claim 15 for having the language “reeling carriage” in addition to the elements of claim 18, which include a “slide” and a “supporting surface.” The Examiner’s rejection is hereby traversed. In claim 15, the reeling carriage (33) (see Fig. 4a) is a device different from the slide (4) (see Figs. 2a, 2b and 3) and the supporting surface (44). The reeling carriage’s purpose is to move the reel (R) on the slide, as is shown in Figs. 4b and 4c. According to the instant invention, during the reeling process, the reel spool and the roll located or formed thereon are supported by a supporting surface which is arranged to move away from the reeling cylinder as the reel to be reeled accumulates. Thus, the reel spool does not roll during the reeling, but the reel spool is transferred in a controlled manner on the support of the slide and advantageously by means of a separate reeling carriage (page 7, lines 27 to 34). Thus, the supporting structures for supporting the reel spool and

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the roll that is being formed comprise an assembly of supporting devices having (1) at least a part of the bearer surface or a corresponding surface of the reeling carriage (33) on which the reel spool and the roll thereon can roll, and (2) a supporting surface (44), which can be moved with respect to the reeling cylinder from the functional vicinity of the reeling cylinder to the vicinity of the reeling carriage (33) (see page 13, lines 35 to 36 and page 11, line 31 to page 12, line 16). Accordingly, claim 15 and claim 16 - 17, which depend therefrom are not indefinite. Therefore, it is respectfully requested that the Examiner withdraw the 35 U.S.C. §112 rejection of claims 15 - 17.

#### **Claims Rejections - 35 U.S.C. §102(e)**

Claims 8-15 and 18-24 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,967,449 to Thomas et al (hereinafter "Thomas"). Applicant respectfully asserts that claims 8 - 15 and 18 - 24 are not anticipated by Thomas.

The claimed invention relates to a reel-up of a web having a reeling means for guiding a web (W) onto a reel spool (11) to thereby form a reel. The reel-up of the present invention also contains a slide (4) having a supporting surface (44) structured and arranged to retain a reel spool (11) thereon. The slide (4) is structurally distinct and is detached from the reeling means (5) and the slide (4) is independently movable relative to the reeling means (5), whereby the supporting surface (44) is movable from a functional vicinity of the reeling means (5) to a vicinity of the bearing surface of

the supporting structure (2). The claimed invention also relates to a method for reeling a paper web with a reel-up around a reel spool (R).

Independent claims 8 and 18 require that the slide (4) is structurally distinct and is detached from the reeling means (5) and the slide (4) is independently movable relative to the reeling means (5).

Thomas does not disclose the apparatus arrangement as claimed in claims 8 and 18. Specifically, Thomas does not disclose a slide having a supporting surface (44) wherein the slide (4) is structurally distinct and is detached from the reeling means (5) and the slide (4) is independently movable relative to the reeling means (5), as is clearly required by claims 8 and 18. Moreover, the apparatus disclosed by Thomas cannot function in a manner required by claims 8 and 18.

The Examiner contends that Thomas shows a reeling means (19) and a slide (5) having a supporting surface structured and arranged to retain a reel spool thereon, wherein the supporting surface is slidably movable. The Examiner equates the transport device 5 of Thomas with the slide 4 of the present invention and the drum 19 of Thomas with the reeling device 5 of the present invention. The Examiner further states that the transport device 5 and drum 19 of Thomas are designed and structured such that one can be moved without moving the other, and vice versa.

The Applicant respectfully asserts that transport device 5 and drum 19 of Thomas are not designed and structured such that one can be moved without moving the other, and vice versa. According to several dictionaries (for example, the *Merriam-Webster Online Dictionary*), the word “independent” is defined as “not subject to control by others” or “not affiliated with a larger controlling unit”. Thomas clearly shows, in Figs. 5 and 6, that the contact pressure of drum 19', also referred to as a supporting roll, is located on the transport device 5, also referred to as a carriage. Parts shown in Figs. 5 and 6 and corresponding to those illustrated in the other figures are provided with the same reference numbers; thus, the details of the contact pressure drum 19' are the same as for the contact pressure drum 19. “A contact pressure drum 19, also referred to as a supporting roll, is held rotatably on a guide carriage 20. That carriage is movable on a guide 23 comprised of rails 21, of which only one rail 21 can be seen. The rails are fastened to the transport device 5 and preferably extend parallel to the guide rails 7 of the first guide 9. The guide carriage 20 can be moved along the rails 21 (shown by double arrow 25) by a pressure-applying device 22 that is fastened to the transport device” (see column 5, lines 17 to 15) (emphasis added).

Thomas further states that “[a] primary bearing 17, which is illustrated schematically, is arranged on the transport device in a fixed location. The bearing 17 is used for holding or supporting a spool for rotating during the winding start process” (column 4, line 66 to column 5, line 2). Thus, both the contact pressure drum 19 (similar to the reeling means 5 of the present application) and the

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spool (similar to the reel spool 11 of the present application) are supported by the same part, namely the transport device 5. The guide carriage 20 moves on the rails 21 fastened to the transport device 5, and therefore, as the transport device 5 is moved, the guide carriage 20 moves with it and, therefore, the contact pressure drum 19' moves simultaneously with the spool that is also located on the transport device 5. It is clear from this arrangement that the contact pressure drum 19' (together with the guide carriage 20, the rails 21 and the displacement device 70 arranged on the guide carriage 20 and the guide frame 72 fastened to the guide carriage 20) is subject to the control of the transport device 5.

Accordingly, the applicant respectfully contends that elements 5 and 19 are not structured such that one can be moved without moving the other. When the primary bearing 17 is moved, the transport device 5 must be moved, and the contact pressure drum 19' is forced to move with it.

Additionally, Thomas states that "The primary bearing and the contact pressure drum therefore have a single, common transport device. As a result, structure of the winder and its control can be simplified." Therefore, Thomas teaches a completely different solution than that of the present invention, as claimed in claims 8 and 18 wherein "said slide is structurally distinct and detached from said reeling means" (column 2, lines 47 to 50).

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Moreover, the Examiner equates the bearing surface of the supporting structures of the present invention with the element 17 and/or 27 of Thomas (see page 3 of the Office Action). The Applicant respectfully contends that the bearing surface is properly equated only with the element 27 of Thomas. The specification of the instant application provides that the supporting surface can be moved with respect to the reeling cylinder from the functional vicinity of the reeling cylinder to the vicinity of the bearer surface of the supporting structure (page 11, line 37 to page 12, line 3). Claim 8 specifically provides that the "supporting surface (44) is movable from a functional vicinity of the reeling means (5) to a vicinity of the bearing surface". Thus, the present invention clearly discloses that the supporting surface and the bearing surface are separate elements. In contrast, when the transport device 5 of Thomas is moved and the contact pressure drum 19' is to be kept in place, then a correcting movement must be made in the opposite direction relative to the direction of movement of the transport device. Accordingly, the movement of transport 5 is not independent of the movement of drum 19'.

Therefore, for at least the reasons discussed above, independent claims 8 and 18 are patentable over Thomas. Dependent claims 9-17 and 19-24 depend from independent claims 8 and 18 and are allowable for at least the reasons discussed with respect to claims 8 and 18. Accordingly, Thomas does not anticipate or teach the present invention and the rejection under 35 U.S.C. §102(e) should be withdrawn.

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Reconsideration of the present application, as amended, is respectfully requested.

**Conclusion**

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

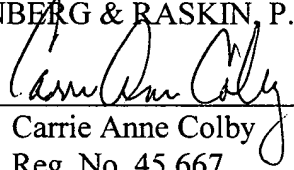
In view of the above amendments it is submitted that the Examiner's rejections have been overcome and should be removed and the present application should now be in condition for allowance.

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A petition for a one month extension of time with the requisite fee is attached herewith. In the event that any other fees are required, the Patent and Trademark Office is specifically authorized to charge such fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,  
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